

01/23/98

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PTO/SB/05 (12/97)

Approved for use through 09/30/00. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

19536-706-00 US

Total Pages

25

First Named Inventor or Application Identifier

Mitch Prater

Express Mail Label No.

EH592703015US

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents:

Assistant Commissioner for Patents  
**ADDRESS TO: Box Patent Application**  
Washington, DC 202311. ☒ Fee Transmittal Form  
(Submit an original, and a duplicate for fee processing)2. ☒ Specification [Total Pages (preferred arrangement set forth below)

- Descriptive title of the invention
- Cross References to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to Microfiche Appendix
- Background of the invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

3. ☒ Drawings (35 USC 113) [Total Sheets 

4. Oath or Declaration [Total Pages 

a. ☒ Newly executed (original or copy)  
(unexecuted)

b. ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 17 completed)

[Note Box 5 below]

i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in  
the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)

5. ☐ Incorporated By Reference (useable if Box 4b is checked) The entire  
disclosure of the prior application, from which a  
copy of the oath or declaration is supplied under Box 4b,  
is considered as being part of the disclosure of the accompanying  
application and is hereby incorporated by reference therein.

6. ☐ Microfiche Computer Program (Appendix)

7. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)

a. ☐ Computer Readable Copy

b. ☐ Paper Copy (identical to computer copy)

c. ☐ Statement verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

8. ☐ Assignment Papers (cover sheet & document(s))

9. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)

10. ☐ English Translation Document (if applicable)

11. ☐ Information Disclosure ☐ Copies of IDS  
Statement (IDS)/PTO-1449 Citations

12. ☐ Preliminary Amendment

13. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)

14. ☐ Small Entity ☐ Statement filed in prior application,  
Statement(s) Status still proper and desired

15. ☐ Certified Copy of Priority Document (s)  
(if foreign priority is claimed)

16. ☒ Other: Declaration (Box 4a.) is unexecuted.....

17. If a CONTINUING APPLICATION,  
check appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☐ Continuation-in-part  
(CIP)

of prior application No: \_\_\_\_\_ / \_\_\_\_\_

**18. CORRESPONDENCE ADDRESS**

☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach Bar code label here)

or

☒ Correspondence address below

NAME	J. David Hadden, Esq.				
ADDRESS	McCutchen, Doyle, Brown & Enersen, Three Embarcadero Center				
CITY	San Francisco	STATE	CA	ZIP CODE	94111
COUNTRY	U.S.A.	TELEPHONE	415-393-2000	FAX	415-393-2286

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

AB980210.063/19536-706

01/23/98

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<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <small>(Only for new nonprovisional applications under 37 CFR 1.53(b))</small>	Attorney Docket No.	19536-706-00 US	Total Pages	25
	First Named Inventor or Application Identifier			
	Mitch Prater			
	Express Mail Label No.	EH592703015US		

**APPLICATION ELEMENTS**  
See MPEP chapter 600 concerning utility patent application contents:

**ADDRESS TO:** Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

<div style="display: flex; justify-content: space-between;"><div style="width: 45%;">1. <input checked="" type="checkbox"/> Fee Transmittal Form <small>(Submit an original, and a duplicate for fee processing)</small></div><div style="width: 45%;">6. <input type="checkbox"/> Microfiche Computer Program (Appendix)</div></div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"><div style="width: 45%;">2. <input checked="" type="checkbox"/> Specification <small>(preferred arrangement set forth below)</small> <div style="margin-left: 20px;"><ul style="list-style-type: none"><li>- Descriptive title of the Invention</li><li>- Cross References to Related Applications</li><li>- Statement Regarding Fed sponsored R &amp; D</li><li>- Reference to Microfiche Appendix</li><li>- Background of the invention</li><li>- Brief Summary of the Invention</li><li>- Brief Description of the Drawings (if filed)</li><li>- Detailed Description</li><li>- Claim(s)</li><li>- Abstract of the Disclosure</li></ul></div></div><div style="width: 45%;">7. Nucleotide and/or Amino Acid Sequence Submission <small>(if applicable, all necessary)</small><div style="margin-left: 20px;"><div style="display: flex; justify-content: space-between;"><div>a. <input type="checkbox"/> Computer Readable Copy</div><div>b. <input type="checkbox"/> Paper Copy (identical to computer copy)</div><div>c. <input type="checkbox"/> Statement verifying identity of above copies</div></div></div></div><div style="display: flex; justify-content: space-between; margin-top: 10px;"><div style="width: 45%;">3. <input checked="" type="checkbox"/> Drawings (35 USC 113) <div style="margin-left: 20px;">[Total Sheets <span style="border: 1px solid black; padding: 0 5px;">10</span>]</div></div><div style="width: 45%;">4. Oath or Declaration <div style="margin-left: 20px;">[Total Pages <span style="border: 1px solid black; padding: 0 5px;">2</span>]</div><div style="margin-left: 20px;"><div style="display: flex; justify-content: space-between;"><div>a. <input checked="" type="checkbox"/> Newly executed (original or copy) <small>(unexecuted)</small></div><div>b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <small>(for continuation/divisional with Box 17 completed)</small></div></div><div style="margin-left: 20px;"><div style="display: flex; justify-content: space-between;"><div>i. <input type="checkbox"/> <u>DELETION OF INVENTOR(S)</u> <small>Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)</small></div><div>17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information: <div style="display: flex; justify-content: space-around; margin-top: 5px;"><div><input type="checkbox"/> Continuation</div><div><input type="checkbox"/> Divisional</div><div><input type="checkbox"/> Continuation-in-part (CIP)</div></div><div style="margin-top: 5px;">of prior application No: _____ / _____</div></div></div></div></div></div><div style="width: 50%; vertical-align: top; padding: 5px;"><b>ACCOMPANYING APPLICATION PARTS</b><div style="margin-top: 10px;"><div style="display: flex; justify-content: space-between;"><div style="width: 45%;">8. <input type="checkbox"/> Assignment Papers (cover sheet &amp; document(s))</div><div style="width: 45%;">9. <input type="checkbox"/> 37 CFR 3.73(b) Statement <small>(when there is an assignee)</small></div></div><div style="margin-top: 10px;"><div style="display: flex; justify-content: space-between;"><div style="width: 45%;">10. <input type="checkbox"/> English Translation Document (if applicable)</div><div style="width: 45%;">11. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449</div></div><div style="margin-top: 10px;"><div style="display: flex; justify-content: space-between;"><div style="width: 45%;">12. <input type="checkbox"/> Preliminary Amendment</div><div style="width: 45%;">13. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <small>(Should be specifically itemized)</small></div></div><div style="margin-top: 10px;"><div style="display: flex; justify-content: space-between;"><div style="width: 45%;">14. <input type="checkbox"/> Small Entity Statement(s)</div><div style="width: 45%;">15. <input type="checkbox"/> Certified Copy of Priority Document (s) <small>(if foreign priority is claimed)</small></div></div><div style="margin-top: 10px;"><div style="display: flex; justify-content: space-between;"><div style="width: 45%;">16. <input checked="" type="checkbox"/> Other: Declaration (Box 4a.) is unexecuted</div><div style="width: 45%;"></div></div></div></div></div></div></div><table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"><tr><td colspan="6" style="text-align: center;"><b>18. CORRESPONDENCE ADDRESS</b></td></tr><tr><td style="width: 10%;"><input type="checkbox"/></td><td style="width: 30%;">Customer Number or Bar Code Label</td><td style="width: 40%; text-align: center;"><div style="border: 1px solid black; padding: 5px; background-color: #f0f0f0;">(Insert Customer No. or Attach Bar code label here)</div></td><td style="width: 5%; text-align: center;">or</td><td style="width: 10%;"><input checked="" type="checkbox"/></td><td style="width: 40%;">Correspondence address below</td></tr><tr><td colspan="6"><b>NAME</b> J. David Hadden, Esq.</td></tr><tr><td colspan="6"><b>ADDRESS</b> McCutchen, Doyle, Brown &amp; Enersen, Three Embarcadero Center</td></tr><tr><td colspan="2"><b>CITY</b> San Francisco</td><td colspan="2"><b>STATE</b> CA</td><td colspan="2"><b>ZIP CODE</b> 94111</td></tr><tr><td colspan="2"><b>COUNTRY</b> U.S.A.</td><td colspan="2"><b>TELEPHONE</b> 415-393-2000</td><td colspan="2"><b>FAX</b> 415-393-2286</td></tr></table></div><div data-bbox="95 1948 1554 2072" data-label="Page-Footer"><p>Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.</p><p>AB980210.083/19536-706</p></div><div data-bbox="1375 2060 1459 2085" data-label="Page-Footer">01/23/98</div></div></div>	<b>18. CORRESPONDENCE ADDRESS</b>						<input type="checkbox"/>	Customer Number or Bar Code Label	<div style="border: 1px solid black; padding: 5px; background-color: #f0f0f0;">(Insert Customer No. or Attach Bar code label here)</div>	or	<input checked="" type="checkbox"/>	Correspondence address below	<b>NAME</b> J. David Hadden, Esq.						<b>ADDRESS</b> McCutchen, Doyle, Brown & Enersen, Three Embarcadero Center						<b>CITY</b> San Francisco		<b>STATE</b> CA		<b>ZIP CODE</b> 94111		<b>COUNTRY</b> U.S.A.		<b>TELEPHONE</b> 415-393-2000		<b>FAX</b> 415-393-2286	
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<b>COUNTRY</b> U.S.A.		<b>TELEPHONE</b> 415-393-2000		<b>FAX</b> 415-393-2286																																

# FEE TRANSMITTAL

Patent fees are subject to annual revision on October 1.  
These are the fees effective October 1, 1997.  
Small Entity payments must be supported by a small entity statement,  
otherwise large entity fees must be paid. See Forms PTO/SB/09-12.

TOTAL AMOUNT OF PAYMENT (\$) 790.00

## Complete if Known

Application Number	Unassigned
Filing Date	Unassigned
First Named Inventor	Mitch Prater
Examiner Name	Unassigned
Group / Art Unit	Unassigned
Attorney Docket No.	19536-706-00 US

## METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number: 13-0257  
Deposit Account Name: McCutchen, Doyle, et al.

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
☐ Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance

2. ☒ Payment Enclosed:

☒ Check ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 790	201 395	Utility filing fee	\$790
106 330	206 165	Design filing fee	
107 540	207 270	Plant filing fee	
108 790	208 395	Reissue filing fee	
114 150	214 75	Provisional filing fee	
SUBTOTAL (1)			(\$ 790.00)

### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

\*\*or number previously paid, if greater; For Reissues, see below

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 22	203 11	Claims in excess of 20
102 82	202 41	Independent claims in excess of 3
104 270	204 135	Multiple dependent claim, if not paid
109 82	209 41	** Reissue independent claims over original patent
110 22	210 11	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 790.00

### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 950	217 475	Extension for reply within third month	
118 1,510	218 755	Extension for reply within fourth month	
128 2,060	228 1,030	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,320	241 680	Petition to revive - unintentional	
142 1,320	242 680	Utility issue fee (or reissue)	
143 450	243 225	Design issue fee	
144 670	244 335	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Petitions related to provisional applications	
126 240	126 240	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 790	246 395	Filing a submission after final rejection (37 CFR 1.129(a))	
149 790	249 395	For each additional invention to be examined (37 CFR 1.129(b))	
Other fee (specify)			
Other fee (specify)			
Reduced by Basic Filing Fee Paid			
SUBTOTAL (3)			(\$ 790.00)

## SUBMITTED BY

Typed or Printed Name: J. David Hadden

Signature: [Signature]

Date: 1/23/98

## Complete (if applicable)

Reg. Number: 40,629

Deposit Account User ID